

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

In re:

ARC Venture Holding, Inc., *et al.*,

Debtors.¹

Case No. 08 – 46367

(Jointly Administered)

**OMNIBUS OBJECTION TO DUPLICATIVE CLAIMS OF (I) STATE FARM
MUTUAL AUTOMOBILE INSURANCE COMPANY AND
(II) BOND SAFEGUARD INSURANCE CO.**

The Official Committee of Unsecured Creditors (the “*Committee*”) hereby objects to certain proofs of claim filed by (i) State Farm Mutual Automobile Insurance Company (“*State Farm*”) and (ii) Bond Safeguard Insurance Co. (collectively, the “*Claimants*”), on the grounds that the Claimants filed duplicative claims.

1. The Committee has reviewed the Claimants’ proofs of claim and determined that the Claimants appear to assert duplicate claims against multiple Debtors for the same liability in the same amount (the “*Duplicate Claims*”), and thus, such Duplicate Claims should be disallowed pursuant to Bankruptcy Rule 3007(d)(1).

2. A Claimant is not entitled to multiple recoveries for a single liability against a debtor (or debtors) since a Claimant is entitled only to a single satisfaction, if at all, of any particular claim of liability. *See, e.g., In re Handy Andy Home Improvement Ctrs., Inc.*, 222 B.R. 571, 575 (Bankr. N.D. Ill. 1998) (“as it is axiomatic that one can not [sic] recovery for the same

¹ Jointly administered estates of the following Debtors: ARC Venture Holding, Inc., Case No. BKY 08-46367; Southwest-Tex Leasing Co., Inc., d/b/a Advantage, Case No. BKY 08-46368; Advantage Rent-A-Car, Inc., Case No. BKY 08-46369; Coast Leasing Corp., Case No. BKY 08-46370; Floral Leasing Corp., Case No. BKY 08-46371; Iliad Leasing Corp., Case No. BKY 08-46372; Miso Leasing Corp., Case No. BKY 08-46373; Nugget Leasing Corp., Case No. BKY 08-46374; Okra Leasing Corp., Case No. BKY 08-46375; Rainier Leasing Corp., Case No. BKY 08-46376; San Antonio Rental & Leasing Co., Inc., Case No. BKY 08-46377; Steamboat Springs Rental & Leasing Co., Inc., Case No. BKY 08-46379; Sun Leasing Corporation, Case No. BKY 08-46380; Tradewinds U-Drive, Inc., Case No. BKY 08-46383; Ute Leasing Corporation, Case No. BKY 08-46384; ARC Licensing LLC, Case No. BKY 09-40394.

debt twice”). By allowing the Claimants to assert their claims of liability under duplicate or multiple proofs of claim, the bankruptcy estates risk multiple recoveries by the Claimants for a single claim of liability against the Debtors.

3. In order to confirm that the Claimants have only a single claim of liability, the Committee seeks to disallow the Duplicate Claims filed. The elimination of the redundant proofs of claim will streamline and enable the Committee to maintain a more accurate claims register, and prevent the Claimants from receiving multiple recoveries on a single Claim.

4. Set forth in Exhibit A are the Duplicate Claims that the Committee has identified. For such Claimants, the Duplicate Claims appear under the heading labeled “Duplicate Claim to be Expunged,” and the claim number of the Claim to remain on file in the claims register is set forth under the heading labeled “Claim Number to Survive.”

5. The Duplicate Claims are duplicates of other Claims against the same Debtor or against a different Debtor. The Duplicate Claims assert bases for liability that are identical to and duplicative of those asserted in the proposed remaining Claim filed by such Claimants, and thus, such Duplicate Claims do not represent valid claims against the Debtors’ estates.

6. The disallowance of the Duplicate Claims will not prejudice the Claimants or their substantive rights or claims against the bankruptcy estates. The Proposed Order confirms that the Claimants retain a Claim that incorporates the entire liability asserted.

Accordingly, the Committee (a) objects to the Duplicate Claims listed on Exhibit A and (b) seeks entry of the Proposed Order disallowing and expunging the Duplicate Claims in their entirety, subject to the Committee’s (or any party in interest’s) further objections on any other grounds to the Claims listed under the heading labeled “Claim Number to Survive.” The Committee reserves its right to object further to the Claim on any other grounds.

Dated: June 3, 2009

Respectfully submitted,

**THE OFFICIAL COMMITTEE OF UNSECURED
CREDITORS OF ARC VENTURE HOLDING,
INC., *et al.***

By: /s/ Sarah H. Bryan
One of its Attorneys

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